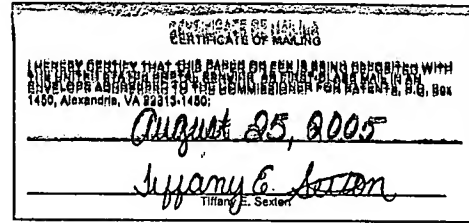




Attorney Docket No: 1171/42397/151-PCT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Smith and McPhee  
 For: ISOLATED TEMPERATURE  
 SENSOR FOR HUMIDIFICATION  
 SYSTEM  
 Serial No.: 10/523,132  
 Filed: January 21, 2005  
 Art Unit: Not Yet Assigned  
 Atty Docket No.: 1171/42397/151-PCT-US



**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35  
 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Commissioner For Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 MAIL STOP: MISSING PARTS

Sir:

The above-noted application was filed on January 21, 2005, via Express Mail. As a result of the original, executed Declaration document not being attached to said application, a Notice to File Missing Parts issued.

In response to the aforementioned Notice, please find enclosed herewith the following:

- a. The original Declaration and Power of Attorney for Patent Application, executed by the inventors, Malcolm David Smith and Stephen William McPhee.
- b. A copy of the aforementioned Notice to File Missing Parts of Application
- c. A check in the amount of \$130.00 for payment of late filing of the executed Declaration and Power of Attorney.

If the afore-mentioned check is missing or insufficient, the Commissioner is hereby authorized and requested to charge Deposit Account No. 20-1495 any amount necessary to cover any costs associated with this Response or to credit any overpayment.

Dated: August 24, 2005

Respectfully submitted,

By: Raiford A. Blackstone, Jr.  
 Raiford A. Blackstone, Jr., Reg. No. 25,156  
 Linda L. Palomar, Reg. No. 37,903  
 Attorneys for Applicant  
 TREXLER, BUSHNELL, GIANGIORGI,  
 BLACKSTONE & MARR, LTD.  
 105 W. Adams Street, 36th Floor  
 Chicago, IL 60603-6299  
 (312) 704-1890

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Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

*F.P.H. Case 151-Pt-15*

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22304-1450

US APPLICATION NUMBER NO. 10/523,132 FIRST NAME AND SURNAME Malcolin David Smith ATTORNEY NUMBER 1171/42397/151-PCT-US

279  
Trexler, Bushnell, Giangiorgi,  
Blackstone & Marr, Ltd.  
105 West Adams Street  
Suite 3600  
Chicago, IL 60603

RECEIVED  
AUG 15 2005

INTERNATIONAL APPLICATION NO.  
PCT/NZ03/00184  
LA. FILING DATE 07/25/2003 PRIORITY DATE 07/31/2002

Trexler, Bushnell, Giangiorgi,  
Blackstone & Marr, Ltd.

CONFIRMATION NO. 1452

371 FORMALITIES LETTER

\*OC000000016713929\*

Date Mailed: 08/09/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/21/2005
- Copy of the International Search Report filed on 01/21/2005
- Copy of IPE Report filed on 01/21/2005
- Preliminary Amendments filed on 01/21/2005
- Information Disclosure Statements filed on 01/21/2005
- U.S. Basic National Fees filed on 01/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**

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Page 2 of 2

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,132	PCT/NZ03/00164	1171/42397/151-PCT-US

FORM PCT/DO/EO/905 (371 Formalities Notice)



**BEST AVAILABLE COPY**

Case 151  
1171/42397

August 25, 2005  
RAB/LLP/tes

For: **ISOLATED TEMPERATURE SENSOR FOR  
HUMIDIFICATION SYSTEM**

S/N: 10/523,132

Filed: January 21, 2005

Applicant: Smith and McPhee

Enclosed: **RESPONSE TO NOTICE TO FILE MISSING  
REQUIREMENTS UNDER 35 USC 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE**; copy of the Notification of Missing  
Parts; Executed Declaration and Power of Attorney; A check in the amount  
of \$130.00; Certificate of First Class Mailing and this postcard.

Receipt Acknowledged: \_\_\_\_\_ F/U: 09/25/05

**HON. COMMISSIONER FOR PATENTS:**

Kindly stamp card with date of receipt of attached material and return to  
attorneys of record.

40091

THE NORTHERN TRUST COMPANY  
CHICAGO, ILLINOIS  
2-15-710

TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.  
105 W. ADAMS ST., SUITE 3600  
CHICAGO, IL 60603-6299  
PH: (312) 704-1890

DATE 08/25/05 AMOUNT \*\$130.00\*

Commissioner of Patents and Trademark

PAY TO THE ORDER OF

\*\*ONE HUNDRED THIRTY AND 00/100 DOLLARS\*\*

NOT TO EXCEED \$20,000.00

*Robert A. Giangiorgi*

1104009111 1:0710001521: 000089972011

Security Features Included: Details on back

40091

0001 Commissioner of Patents and Trademark

Date	Invoice No.	Client/Matter	Atty Exp	Description	GL	Amount
08/25/05	OPER-TXS	01171-42397 0151P-PCT-US BRRAB	44	Cost for fees for fi	50200	130.00

130.00